



McNUTT LAW GROUP LLP
MICHAEL A. SWEET (CSBN 184345)
DALE L. BRATTON (CSBN 124328)
188 The Embarcadero, Suite 800
San Francisco, California 94105
Telephone: (415) 995-8475
Facsimile: (415) 995-8487

Signed and Filed: January 20, 2011

THOMAS E. CARLSON
U.S. Bankruptcy Judge

Attorneys for Official Committee of
Equity Security Holders

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re
CMR MORTGAGE FUND, LLC,
CMR MORTGAGE FUND II, LLC,
CMR MORTGAGE FUND III, LLC,
Debtors.

Case Nos. 08-32220 TEC
09-30788 TEC
09-30802 TEC

Chapter 11

☐ Affects **FUND I**
☐ Affects **FUND II**
☐ Affects **FUND III**
☒ Affects **ALL FUNDS**

Date: March 4, 2011
Time: 2:00 p.m.
Place: 235 Pine St., 23rd Floor
Courtroom 23
San Francisco, CA 94104

Judge: Hon. Thomas E. Carlson

ORDER ON MOTION TO MODIFY PLAN AND SETTING STATUS CONFERENCE

On January 14, 2011, the Court held a continued hearing on the Motion To Modify Chapter 11 Plan. Michael A. Sweet and Dale L. Bratton, of McNutt Law Group, appeared for the Official Committee of Equity Security Holders (the "Equity Committee"). Reno F. R. Fernandez III, of Macdonald and Associates, appeared for all Debtors. Robert Feinbaum appeared in pro per. Upon due consideration, and for the reasons stated on the record at the hearing,

IT IS HEREBY ORDERED that:

1. The deadline of January 14, 2011, for the occurrence of the Effective Date of the Equity

1 Committee And Debtors Joint Plan of Reorganization Dated June 24, 2010 (the "Plan") is
2 extended to March 4, 2011, at 2:00 p.m.

3 2. The Court will hold a status conference on March 4, 2011, at 2:00 p.m. (the "Status
4 Conference") to determine whether the funding necessary to permit the confirmed Plan to become
5 effective (the "Funding") has been received.

6 3. If the Funding has not been received by the time of the Status Conference, the Court
7 will set a shortened schedule for a hearing regarding the future disposition of the Debtors' cases.
8 In that schedule, the Court may require the Debtors, the Equity Committee, and other parties in
9 interest to file papers as soon as seven days after the Status Conference addressing, *inter alia*, why
10 the Debtors' cases should not be converted to cases under Chapter 7 or why a Chapter 11 trustee
11 should not be appointed.

12
13 The Certificates of Service for this proposed order are Docket Nos. 753 in Case No. 08-
14 3220, 616 in Case No. 09-30788, and 587 in Case no. 09-30802.

15
16 * * * END OF ORDER * * *
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COURT SERVICE LIST

All are registered ECF participants except:

Robert Feinbaum
3001 Ashbrook Court
Berkeley, CA 94601